

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

FARMERS INSURANCE GROUP,

Plaintiff,

v.

Case Number 08-13502-BC
Honorable Thomas L. Ludington

UNITED STATES OF AMERICA AND
PATRICK BRUHN,

Defendants.

/

ORDER DISMISSING PLAINTIFF'S COMPLAINT FOR FAILURE TO PROSECUTE

The Plaintiff filed its initial complaint in this case on August 13, 2008. The Defendant responded with a motion to dismiss on November 17, 2008 [Dkt. # 16]. The Plaintiff subsequently filed seven amended complaints [Dkt. # 20, 21, 30, 36, 54, 61, 63], which the Defendant has moved to dismiss [Dkt. # 37, 64]. The parties did not, however, make significant progress toward resolution of the case until early 2010, when Plaintiff was able to obtain necessary medical records. On September 17, 2010, the parties informed the Court that the case had been settled and indicated that they would submit a stipulation to dismiss the case within thirty days. Sixty days later, on November 10, 2010, the Court contacted the parties by e-mail to inquire about the status of the stipulation to dismiss. The e-mail indicated that if no further action was taken by December 10, 2010, the case would be dismissed for failure to prosecute. Neither party responded to the e-mail or took other action to resolve the case.

Accordingly, it is **ORDERED** that Plaintiff's complaint is **DISMISSED** for failure to prosecute. *See* E.D. Mich. L.R. 41.2. This order terminates all pending motions and closes the case.

s/Thomas L. Ludington

THOMAS L. LUDINGTON
United States District Judge

Dated: January 6, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 6, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS